

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE: RANGEL, RICHARD
RANGEL, MICHELLE

CASE NO. 09-92944

DEBTOR(s)

**MOTION TO MODIFY
DEBTOR'S CHAPTER 13 PLAN PAYMENT
AND NOTICE OF OBJECTION DEADLINE**

Comes now the Trustee, Joseph M. Black, Jr., and files his Motion to Modify Debtor's Chapter 13 Plan Payment. In support of this Motion, the Trustee states the following:

Pursuant to a payment change notice received by the Trustee from Wells Fargo, the mortgage payment being paid through the plan shall decrease to \$643.20 from \$665.44 beginning February 2013, leaving the monthly Chapter 13 Plan payment in excess in providing for the mortgage.

NOTICE IS GIVEN that any objection to the Motion to Modify Plan must be filed with the Bankruptcy Clerk within **21 days** from date of service at <http://ecf.insb.uscourts.gov> which requires a user account and password. Those not required or not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at: U.S. Bankruptcy Court, 110 U.S. Courthouse, 121 W. Spring St., New Albany, IN 47150.

The objecting party must ensure delivery of the objection to the Trustee and the Debtor(s). **If an objection is NOT timely filed, the Court may enter an Order Approving the Post-Confirmation Modification of the Chapter 13 Plan without conducting an actual hearing.** Unresolved objections will be scheduled for hearing by the Court at a later date if necessary.

WHEREFORE, the Trustee requests the Court to modify the Debtor's plan by decreasing the Debtor's monthly plan payment to \$829.68 from \$854.39 beginning March 2013. The debtors are on a wage assignment; therefore, upon approval of this motion, the Trustee will amend the current Wage Order to reflect this decrease in plan payment. The Debtor may file an amended plan, in order to provide differently for the continuing post petition payments and any arrears that may have accrued.

Dated: January 25, 2013

Respectfully Submitted,

/s/ Joseph M. Black, Jr.

Joseph M. Black, Jr.

Chapter 13 Trustee

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Seymour, IN 47274

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CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2013, a copy of the foregoing **Motion to Modify Debtor's Chapter 13 Plan Payment and Notice of Objection Deadline** was mailed by first-class U.S. Mail, postage prepaid, and properly addressed to the following.

Richard Rangel
1151 S Blue River Rd
Salem, IN 47167

Michelle Rangel
1151 S Blue River Rd
Salem, IN 47167

Wells Fargo
3476 Stateview Blvd
Ft. Mill, SC 29715

Unterberg & Associates
8050 Cleveland Place
Merrillville, IN 46410

/s/ Joseph M. Black, Jr.
Joseph M. Black, Jr., Chapter 13 Trustee